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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND DIVISION**

11 J. DOE 1, et al.,
12 Individual and Representative Plaintiffs,
13 v.
14 GITHUB, INC., et al.,
15 Defendants.

Case Nos. 4:22-cv-06823-JST
4:22-cv-07074-JST

**STIPULATION AND [PROPOSED] ORDER
REGARDING REDACTED PORTIONS OF
ORDER GRANTING IN PART DENYING
IN PART MOTION TO DISMISS (ECF NO.
189)**

1 Plaintiffs Doe 1, Doe 2, Doe 3, Doe 4, and Doe 5 (“Plaintiffs”); Defendants GitHub, Inc.
2 (“GitHub”); Microsoft Corporation (“Microsoft”); and Defendants OpenAI, Inc.; OpenAI, LP; OpenAI
3 OpCo, LLC; OpenAI GP, LLC; OpenAI Startup Fund GP I, LLC; OpenAI Startup Fund I, LP; and
4 OpenAI Startup Fund Management, LLC (“OpenAI”) (all collectively, the “Parties”) hereby stipulate
5 and agree as follows:

6 WHEREAS, on January 3, 2024, this Court entered its Order Granting in Part Denying in Part
7 Motion to Dismiss (ECF No. 189) (“MTD Order”), which included information previously ordered
8 sealed (*see* ECF Nos. 114, 115, 133, 157);

9 WHEREAS, on January 3, 2024, this Court entered its Order Re: Order Granting in Part Denying
10 in Part Motion to Dismiss (ECF No. 190), which required the parties to file a stipulated proposed
11 redacted version of the MTD Order;

12 WHEREAS, the Parties have agreed on which portions of the MTD Order that contain and/or
13 refer to material previously ordered sealed by this Court that Plaintiffs request be sealed (“Sealing
14 Requests”);

15 WHEREAS, the Parties have herewith lodged with the Court a PDF of the MTD Order with the
16 ECF header removed and the Sealing Requests highlighted;

17 IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

18 1. The Sealing Requests identified in the MTD Order lodged concurrently with this
19 Stipulation shall be redacted from the publicly available copy of the MTD Order.

20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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22 Dated: January 16, 2024

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Honorable Jon S. Tigar
United States District Judge

1 Dated: January 10, 2024

By: /s/ Joseph R. Saveri
Joseph R. Saveri

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17 *Counsel for Plaintiffs and the Proposed Class*

18 Dated: January 10, 2024

By: /s/ Annette L. Hurst
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